

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CONRAD E ROSE,

Plaintiff,

vs.

APPLEBEE'S RESTAURANTS LLC,
APPLEBEE'S RESTAURANTS WEST LLC,
APPLEBEE'S FRANCHISOR LLC, MAPLE
JOINT VENTURE, MAPLE JOINT
VENTURE II LLC, MAPLE JOINT
VENTURE III LLC, MAPLE JOINT
VENTURE IV LLC, and J.S. VENTURES,
INC.,

Defendants.

8:19-CV-311

ORDER

This matter is before the Court on Plaintiff's Joint Stipulation to Dismiss, with Prejudice, Defendants Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC. [Filing 63](#). Although styled as a stipulated dismissal, the motion is one for dismissal of certain parties. *See* [Fed. R. Civ. P. 21](#).

Pursuant to [Federal Rule of Civil Procedure 21](#), Plaintiff's claims against Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC are dismissed with prejudice, each party to bear its own fees and costs. Plaintiff's claims against Applebee's Restaurants LLC, Applebee's Restaurants West LLC, Applebee's Franchisor LLC, Maple Joint Venture, and J.S. Ventures, Inc., remain.

Relatedly, Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC previously filed a Motion for Summary Judgment. [Filing 58](#). Because Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC consent to

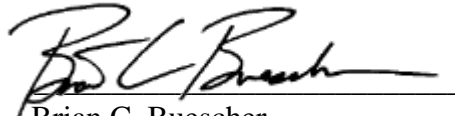
the dismissal of all claims against them and because such dismissal is with prejudice, the Court denies their Motion for Summary Judgment as moot. Accordingly,

IT IS ORDERED:

1. Plaintiff's Joint Stipulation to Dismiss, [Filing 63](#), is granted;
2. Plaintiff's claims against Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC are dismissed with prejudice, each party to bear its own fees and costs; and
3. Defendants Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC are dismissed as parties to the case;
4. The Motion for Summary Judgment filed by Maple Joint Venture II LLC, Maple Joint Venture III LLC, and Maple Joint Venture IV LLC, [Filing 58](#), is denied as moot.

Dated this 11th day of June, 2020.

BY THE COURT:


Brian C. Buescher
United States District Judge